



November 25, 2015

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By eFile

Magistrate Judge James Orenstein
United States District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

Re: Jacqueline Andrews v. ASA College, Inc.
Docket No. : 14-cv-6871 (JBW) (JO)
Our File No. : 15742.00002

Dear Judge Orenstein:

This office represents defendant ASA College in the above captioned action and I write to request that the Court reconsider its November 13, 2015 decision ordering Alex Shchegol's deposition/s to take place at plaintiff's counsel's office in Great Neck. Mr. Shchegol's individual and 30(b)(6) depositions are scheduled to take place on November 30th beginning at 9:00 a.m.

We make this request because we have been informed that Mr. Shchegol has severe diabetes which requires him to check his blood levels on an hourly basis and take insulin numerous times daily. As a result, we understand that Mr. Shchegol is unable to drive or travel for more than 45 minutes at a time. Since Mr. Shchegol lives in Staten Island, we also understand that getting to a Long Island Railroad station to begin a deposition under these conditions is not possible. Attached is a physician's note explaining Mr. Shchegol's condition. We have notified plaintiff's counsel of the situation.

For the foregoing reasons, defendant respectfully requests that the Court reconsider its November 13, 2015 decision and order that Mr. Shchegol's deposition be held at plaintiff's New York City office.

Respectfully submitted,

Wilson Elser Moskowitz Edelman & Dicker LLP

Celena R. Mayo

Attch.

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THE UNIVERSITY HOSPITAL FOR
ALBERT EINSTEIN COLLEGE OF MEDICINE

Date :11-25-2015

To Whom It May Concern:

Please, be advised, that Shchegol, Alex is under my care.

He has a severe case of Insulin dependent diabetes for past 40 years with complication of peripheral neuropathy involving feet with non healing ulcer . He has to check his blood sugar level at least once an hour and adjust his medications accordingly. I do not advise Mr. Shchegol to drive or travel for longer than 30 to 45 minutes. It is dangerous to his health and wellbeing.

If you need further information regarding this patient, please call at (917)929-1535 .

Sincerely,

A handwritten signature in black ink, appearing to read "Zakir Hussain MD".

Zakir Hussain, MD
American Board of Family Medicine Certfied

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